IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE JURISDICTION

WRIT PETITION NO.6899 OF 2004

Maharashtra State Road Transport Corpn....Petitioners

Vs.

Dinkar Shankar Bhosale ...Respondent

Mr.G.S. Hegde Advocate for the Petitioners

Mr.Suresh S. Pakale, Advocate for the Respondent

CORAM: R.M.S.KHANDEPARKAR,J.
DATED: 14TH OCTOBER, 2004

P.C.

1. Heard learned Advocate for the petitioners.

2. The petitioners challenge the order dated 21st April, 2004 passed by the Industrial Court in the Revision Application filed by the respondent against the order of the Labour Court. The Labour Court while setting aside the order of dismissal had directed the reinstatement of the respondent in the service with continuity in service, however, had refused to grant back wages, and therefore, the respondent workman had challenged the said order before the Industrial Court. The Industrial Court by the impugned order, taking note of the fact of pendency of the departmental appeal refusal to join the service during the pendency of such appeal being

well justified, has held that the Labour Court erred in refusing the back wages to the respondent inspite of the fact that the respondent was ordered to be reinstated in service. The view taken by the Revisional Court can not be said to be either perverse or illegal. The findings arrived at are clearly borne out from materials placed on record. The revisional jurisdiction having been exercised properly and there being no illegality found in the impugned order, there is no case for interference in the impugned order in writ jurisdiction under Article 227 of the Constitution of India. Hence the petition is rejected. No order as to costs.

(R.M.S.KHANDEPARKAR,J)